



**U.S. Department of
Transportation**

Office of the Secretary
of Transportation

ORDER

DOT 1900.8

3-15-84

Subject: Department of Transportation - Civil Emergency Preparedness Policies and Program(s)

1. PURPOSE. This Order establishes policies, programs, and procedures; and identifies and assigns specific emergency preparedness responsibilities to Departmental elements for the planning, management, and coordination of the Department of Transportation civil emergency preparedness program(s) and actions.
2. SCOPE. In accordance with Executive Order 11490, as amended, "Assigning Emergency Preparedness Functions to Federal Departments and Agencies," this Order applies to all Secretarial Officers and Heads of Operating Administrations of the Department of Transportation.
3. REFERENCES. This section contains partial references to public laws, executive orders, and other documents that are applicable or related to the Department of Transportation civil emergency preparedness policies, authorities, responsibilities, plans, and procedures necessary for effective coordination and management of the overall Departmental emergency preparedness program(s).

Section 301 of Title 49, U.S. Code, charges the Secretary of Transportation to coordinate transportation programs and to exercise leadership in transportation matters, including those affecting the national defense and those involving national or regional emergencies. Executive Order 11490 - "Assigning Emergency Preparedness Functions to Federal Departments and Agencies," as amended, charges the Department and the Secretary with specific responsibilities for continuity of government and civil emergency resource management. Executive Order 10480 - Further Providing for the Administration of Defense Mobilization Program, as amended, charges the Secretary with the responsibility to exercise with respect to civil transportation, the priorities and allocation authority of Title I of the Defense Production Act of 1950, as amended, as delegated by Defense Mobilization Order (DMO-3). Additionally, the following pertinent authorities also are applicable.

a. Authorities.

- (1) Public Law 65-24, Espionage Act of 1917.
- (2) Public Law 74-835, Merchant Marine Act of 1936, as amended.
- (3) Public Law 79-321, Merchant Ships Sales Act of 1946, as amended.
- (4) Public Law 80-253, The National Security Act of 1947.
- (5) Public Law 81-207, Relationship to Navy Department of 1949.
- (6) Public Law 87-501, The Federal Civil Defense Act of 1950.
- (7) Public Law 81-774, Defense Production Act of 1950, as amended.
- (8) Public Law 83-569, Foreign Merchant Vessels Acquisition and Operation of 1954.

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- (9) Public Law 83-777, Espionage and Sabotage Act of 1954.
- (10) Title XIII, Federal Aviation Act of 1958, as amended.
- (11) Public Law 93-288, Disaster Relief Act of 1974, as amended.
- (12) Public Law 93-155, Department of Defense Appropriation Authorization Act of 1974.
- (13) Public Law 94-412, National Emergencies Act of 1976.
- (14) Public Law 95-124, The Earthquake Hazards Reduction Act of 1977.
- (15) Public Law No. 97-449, Revision of Title 49, U.S.C. of 1983.

b. Executive Orders (E.O.).

- (1) E.O. 11490 - Assigning Emergency Preparedness Functions to Departments and Agencies, as amended.
- (2) E.O. 10421 - Providing for the Physical Security of Facilities -Important to the National Defense, as amended.
- (3) E.O. 10438 - Transferring Certain Function of the National Security Resources Board and of the Chairman Thereof to the Director of Defense Mobilization.
- (4) E.O. 10480 - Further Providing for the Administration of Defense Mobilization Program, as amended.
- (5) E.O. 202 - Use of Vessels for Ice Breaking Operations in Channels and Harbors.
- (6) E.O. 10173, as amended - Protection and Security of Vessels, Harbors, and Waterfront Facilities.

c. Other Applicable Authorities.

- (1) National Security Decision Directive #47, Emergency Mobilization Preparedness, 1982.
- (2) National Plan of Action on Emergency Mobilization Preparedness (Supplement to National Security Decision Directive - #47), 1983.
- (3) Emergency Management and Assistance, Defense Production: Priorities and Allocations Authority (DMO-3), as revised October 1, 1982.
- (4) Emergency Management and Assistance, Voluntary Agreements Under Section 708 of the Defense Production Act of 1950, as amended.
- (5) DOT Order 1940.5A, 1975, Department of Transportation Emergency Organization - Standard Operating Procedures for Headquarters and Regional Offices.

4. EMERGENCY PREPAREDNESS POLICY. It is the policy of the Department of Transportation to:
- a. Develop and fully support Departmental civil emergency preparedness policies and programs that have as their objective the assurance that the nation's available civil transportation system will have the capability, under either national security or domestic emergency conditions, to respond effectively to emergency requirements including those pertaining to the military and industrial mobilization of the nation.
 - b. Through statutory, administrative, or other coordinating authorities cooperate fully with other departments and agencies of the Federal Government, and State, local and private entities, with the goal of assuring that civil transportation emergency preparedness planning at all levels attains an acceptable level of effectiveness to respond to national security and domestic emergencies affecting the nation's civil transportation resource.
 - c. Rely on integrated and coordinated civil emergency management, including appropriate direction and control of the nation's civil transportation resource capacity (service, equipment, facilities, and systems), at the Secretarial level to satisfy essential national defense, other national security, and civil requirements.
 - d. Maintain in its resource civil emergency preparedness planning concepts, to the maximum practicable degree, the principle of private sector operation, with continuing Federal agency overview of the various forms of civil transportation under emergency conditions.
 - e. Develop sufficient flexibility in civil emergency preparedness programs to reflect resource and mission requirements and/or constraints that facilitate selective application in varying situations.
 - f. Provide for Secretarial regional civil emergency preparedness planning and coordination representatives in the 10 Federal Standard Regions and Alaska, through a Regional Emergency Transportation Coordinator Program, for the purpose of supporting and actively participating in Federal regional civil emergency preparedness activities involving the civil transportation resources of the region.
 - g. Sponsor and support an effective Departmental National Defense Executive Reserve (NDER) program.
 - h. Support and participate in international transportation civil emergency preparedness activities and/or programs.
 - i. Develop and furnish quantitative and time-phased military requirements for selected end items and related logistics areas required for U.S. Coast Guard support of Department of Defense (DOD). The items and supporting resources to be included, the periods to be covered, and the dates for their submission will be determined by mutual agreement between the Secretary of Defense and the Secretary of Transportation.

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- j. Provide policy guidance and program direction relative to the emergency management of containerized systems and/or containers including those used not only for intermodal service involving the maritime segment, but also all other containerized systems and/or containers whether used in other modal, intermodal, or multimodal services.
 - k. Assure Departmental support of and participate in civil and/or military, domestic and international civil emergency preparedness activities, including training and/or exercises.
 - l. Provide through the budgetary process adequate Departmental resource support including annual funding to ensure that statutory and administratively assigned transportation civil emergency preparedness functions, activities, and responsibilities are effectively carried out in a timely fashion.
5. BACKGROUND. The Nation's civil transportation resource is critical to the maintenance of an effective national security posture. It must possess the capability to respond effectively and promptly in emergencies to essential civil and military needs, including all mobilization demands. It must also be capable of effective response to national security crises and domestic emergencies, including major events and disasters caused by natural, technological, or man created disasters.

Without the ability to manage and coordinate civil transportation responses to national or regional transportation emergencies promptly and effectively, the Nation's overall national security would be seriously degraded in the event of war or a catastrophic disaster.

6. SECRETARIAL RESPONSIBILITIES.

- a. In discharging statutory and administrative responsibilities, including management and execution of civil emergency transportation functions, the Secretary of Transportation is responsible for the development of Departmental policies, plans, procedures, programs, and systems to facilitate the effective functioning of the nation's civil transportation resource under any emergency situation. Secretarial leadership responsibilities include providing policy direction, coordination and technical assistance to all Federal transportation agencies, both within and outside the Department, other concerned Federal departments and agencies, State and local governments, and the private sector.
- b. In a domestic or national security emergency, the Secretary will employ the normal peacetime organizational structure of the Department or an expanded wartime emergency structure as the situation dictates. Functional responsibilities include Departmental continuity of government and civil transportation resource management including claimancy for those supporting resources from other Federal resource agencies necessary to maintain an effective level of civil transportation capacity. Additionally, the Secretary will ensure the transfer of U.S. Coast Guard personnel and facilities to the U.S. Navy, as required in support of national defense.
- c. The Secretary of Transportation, with the assistance and support of Federal, State, and local government agencies and private sector organizations, as appropriate, shall:

- (1) Develop and administer effective Departmental continuity of government and civil transportation resource emergency preparedness management programs and systems to include:
 - (a) Establishment of adequate lines of succession, timely evacuation, facilities, administration, and communications support for Departmental management, and the functioning of national and regional Federal emergency transportation organizations.
 - (b) Assuring that essential civil emergency functions and related requirements necessary for continued Federal operations under national security and domestic emergency conditions are identified, communicated, and carried out.
 - (c) Developing civil transportation resource management programs which encompass the overall direction and control of the Nation's total civil transportation capacity (service, equipment, facilities, and systems), or any portion thereof; centralize the determination of the proper apportionment and allocation of that capacity; provide for direction and management of transportation priorities; collection and analysis of modal and functional requirements; determination of available and required resource capacity; the development of supporting resource requirements and the tasking of those Federal resource agencies responsible for providing such supporting assets.
- (2) Obtain, analyze, and maintain data and information needed in the discharge of responsibilities in national security and domestic emergencies; and develop systems to assure the attainment and continuation of a high state of civil emergency preparedness planning and programming for satisfying national defense and/or essential civilian civil transportation requirements. Such data and information systems shall include:
 - (a) Identification of national and regional civil transportation capacity and an assessment of its ability to meet emergency demands.
 - (b) Identification of civil transportation resource requirements provided by other government transportation claimant agencies, and projections of transportation demand derived from forecasts of economic activity.
 - (c) Collection of emergency management policies, plans, agreements, procedures, and other related documents pertaining to capacity utilization, recovery, priorities, and allocations programs under varying national and international economic conditions and national security and/or domestic emergencies.
- (3) Develop Departmental policies, plans, programs, and procedures for the management of the civil transportation resource under national security and domestic emergency conditions to meet overall essential civil and military needs, including:

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- (a) Emergency management of all civil transportation resource capacity (service, equipment, facilities, and systems), including central policy direction in the use of priorities and the determination of the proper apportionment and allocation of available civil transportation capacity.
- (b) Allocating civil transportation resource capacity, including:
 - (1) Specifically designated civil air carrier type aircraft to the Civil Reserve Air Fleet Program (CRAF).
 - (2) Air carrier aircraft to the War Air Service Program (WASP).
 - (3) General aviation aircraft to the State and Regional Disaster Airlift Program (SARDA) and other general aviation programs.
 - (4) Specific ground, air, and water port services, equipment, facilities, and systems.
 - (5) Specific ocean and Great Lakes shipping, and inland waterway systems' services, equipment, facilities, and systems.
 - (6) Containerized systems and/or containers to be used in modal, intermodal, and multimodal service.
- (4) Participate in and provide U.S. representation to international civil emergency preparedness (CEP) planning boards and committees and related activities, and Canada, Mexico, and NATO CEP planning boards, committees; and others as may be required.

7. SECRETARIAL OFFICERS AND HEADS OF OPERATING ADMINISTRATIONS. Secretarial Officers and Heads of Operating Administrations affected by this Order, and in conformity with Departmental civil emergency preparedness policies, plans, procedures, and systems, are responsible for developing their own civil emergency preparedness programs as appropriate to carry out their statutory responsibilities and emergency responsibilities assigned by the Secretary. Specifically, all Secretarial Officers and Heads of Operating Administrations will be responsible for:

Continuity of Government planning for their organization including support of the DOT emergency organization, civil emergency management teams, and similar crisis management functions.

Training and participation in exercises required to achieve a high level of effectiveness in all aspects of their civil emergency preparedness programs.

Additionally, Heads of Operating Administrations have the following responsibilities:

- a. The Administrator, Federal Aviation Administration (FAA).

- (1) Emergency management and control of the national aviation system to include:

- (a) Control of civil and military air traffic, aircraft, (air carrier and general aviation), airports, airspace, airways, safety, facilities, systems, services, and regulations and the management and control of civil air personnel.
- (b) Provision of Federal aviation hull and liability insurance pursuant to Title XIII, Federal Aviation Act of 1958, as amended.
- (c) Operational management of the Civil Reserve Air Fleet (CRAF) following activation of all or any portion of the CRAF, i.e., withdrawal of specific CRAF aircraft by the Department of Defense, except for aircraft mission control, which becomes the responsibility of the Department of Defense.
- (d) Upon abolishment of the Civil Aeronautics Board, under Title XVI of the Federal Aviation Act of 1958, the authority and responsibility for the operational management of the War Air Service Program (WASP), following activation of the CRAF, including:
 - (i) Distribution and redistribution of civil air carrier aircraft allocated to the WASP among the civil air carriers to assure the maintenance of essential WASP civil routes and services, equipment, facilities, systems, and other operations after the withdrawal of the CRAF.
 - (ii) Route services and operations, Government compensation and subsidy, as appropriate, and accounting and contracting procedures essential to WASP operations.
 - (iii) Investigation of safety and other violations affecting WASP operations.
 - (iv) Provision for a contracting function, if such an activity is necessary, in connection with the distribution and redistribution of WASP aircraft for other WASP operations.
- (e) Operational management of all general aviation aircraft including:
 - (i) State and regional disaster assistance (SARDA) aircraft;
 - (ii) Civil Aviation Patrol (CAP) aircraft; and
 - (iii) All other general aviation aircraft.
- (f) Contingency planning for those statutory and administrative functions that remain a Departmental responsibility in the event certain operational elements of the FAA are transferred to or placed under the control of the Department of Defense.

- (g) Development and administration of claimancy procedures for providing those supporting resources required for the effective operation and maintenance of the national aviation system, covering all general aviation and civil air carrier activities including support of such programs as the CRAF, WASP, SARDA, CAP, and other general aviation programs and foreign flag programs and related activities in support of the "common defense" in a national security crisis.

b. The Administrator, National Highway Traffic Safety Administration (NHTSA).

Determination of supporting resource requirements (other than fuel) for the operation of privately owned cargo and passenger carrying vehicles. Specifically excluded are transportation equipment of all types and related operating supplies, required by governmental, commercial, industrial, and agricultural establishments for their own use, and by transportation carriers of any type and allied operations providing "for hire," transportation services. Provision for related automotive safety considerations such as accident prevention and post accident highway safety services such as police traffic services, pre-hospital emergency medical services (EMS) and coordination of the program for interagency military assistance to safety and traffic (MAST) in domestic and national security emergencies.

c. The Administrator, Federal Highway Administration (FHWA).

In cooperation with various State highway agencies, provide emergency management of all Federal, State, city, local, and other highways, roads, streets, bridges, tunnels, and publicly-owned highway maintenance equipment to affect the following:

- (1) The adaptation, development, construction, reconstruction, or maintenance of the Nation's highway and street systems to meet stated emergency requirements.
- (2) The regulation of highway traffic in emergencies, through a national program, in cooperation with all Federal, State, and local governmental units, concerned with assuring efficient and safe utilization of available road space.
- (3) Claimancy procedures for providing those supporting resources required for the effective operation and maintenance of the national highway and street systems.

d. The Administrator, Urban Mass Transportation Administration (UMTA).

Emergency management of urban mass passenger transportation capacity (service, equipment, facilities, and systems) in cooperation with State and local organizations, including:

- (1) Guidance to mass transit authorities in emergency mass passenger transportation planning efforts, either directly or through State, regional, or metropolitan agencies.

- (2) Coordinating all such emergency planning with the Department of Housing and Urban Development, to assure compatibility with emergency plans for all other aspects of urban development.
 - (3) Maintain a comprehensive inventory of urban mass transit systems, including equipment and facilities by system.
 - (4) Claimancy procedures for providing those supporting resources required for the effective operation and maintenance of the Nation's urban mass transportation systems.
- e. The Administrator, Federal Railroad Administration (FRA). Emergency management and operation of the National Railroad Passenger Corporation (AMTRAK); The Alaska Railroad and its ancillary services, provision for the continuity of railroad safety programs under emergency conditions, including claimancy procedures for providing those supporting resources required for the effective operation and maintenance of AMTRAK and Alaska Railroad systems and ancillary services.
- f. The Administrator, Research and Special Programs Administration (RSPA). Emergency management of pipelines, including storage (excluding water aqueducts/pipelines and related storage) and the continuation of safety programs for oil, and gas pipelines and hazardous materials and substances in civil transportation, including claimancy procedures for providing those supporting resources required for the effective operation and maintenance of the Nation's pipeline systems (other than water aqueducts/pipelines).
- g. The Administrator, Saint Lawrence Seaway Development Corporation (SLSDC). Emergency management, operation, and maintenance of the United States controlled sections of the Saint Lawrence Seaway, including claimancy procedures for providing supporting resources required for effective operation and maintenance of the U.S. controlled sections of the Saint Lawrence Seaway system.
- h. The Commandant, United States Coast Guard (USCG).
- (1) Emergency management of USCG statutory responsibilities relative to port safety and security; protection of offshore assets; aids to navigation, search and rescue; and law enforcement over, upon, and under waters subject to the jurisdiction of the United States and the high seas, including:
 - (a) Safeguarding vessels, harbors, ports, and waterfront facilities from destruction, loss of life, injury, accidents, and other casualties and hazards.
 - (b) Safe passage over, upon, and under waters subject to the jurisdiction of the United States and the high seas, through effective and reliable systems of aids to navigation and ocean stations.
 - (c) Waterborne access to icebound locations in furtherance of national, defense, economic, and scientific needs.

- (d) Protection of lives, property, natural resources, and national interests, through enforcement of Federal law and search and rescue.
 - (e) Safety of life and property, through regulation of commercial vessels, including mobile offshore drilling units, their officers, crew, administration of maritime safety laws and certifying the readiness of layed up ships for emergency military service.
 - (f) Knowledge of the sea, its boundaries and its resources, through collection and analysis of data in support of the national interest.
 - (g) Operational readiness and related support activities.
 - (h) Claimancy procedures providing those supporting resources required for the operation and maintenance of an effective maritime system for which the USCG is statutorily responsible.
 - (i) Development of plans and procedures for Coast Guard use of non-industrial facilities in the event of an emergency in order to reduce requirements for new construction and to provide facilities in a minimum amount of time.
 - (j) Advise and assist in foreign port security, safety, and sabotage protection, upon request.
 - (k) Development of plans and procedures, in coordination with the Department of Defense, for the involvement of the Coast Guard in collecting, compiling, and publishing information on the physical characteristics and facilities of ports of the United States and its possessions and territories.
 - (l) The functions listed in this paragraph are the statutory responsibility of the United States Coast Guard (USCG); upon transfer of the Coast Guard to the Navy, responsibility for these functions shifts from the Secretary of Transportation to the Secretary of the Navy.
- (2) Emergency management of those statutory and administrative responsibilities and functions of the Secretary which have been delegated to the Commandant, USCG, include:
- (a) Contingency and other planning to provide for the continuation of functions should the USCG be transferred to the Navy under 14 USC 3.
 - (b) Claimancy procedures for developing those supporting resources required to support those authorities delegated to the Commandant of the USCG by the Secretary of Transportation and which are continuing statutory or administrative requirements of the Department under emergency conditions.

i. The Administrator, Maritime Administration (MARAD).

- (1) Preparation of plans and programs for emergency utilization of U.S. shipping resources and other shipping available to the United States under emergency conditions, including:
 - (a) Provision of shipping service to meet military and essential civil requirements;
 - (b) Acquisition and operation of ships for service of the United States under authority of the Merchant Marine Act, 1936, and other authorities;
 - (c) Maintenance and operation of the National Defense Reserve Fleet;
 - (d) Provision of Government War Risk Insurance under the provisions of Title XII of the Merchant Marine Act, 1936;
 - (e) Recruiting, training, and assigning ships' officers and seamen; and
 - (f) Maintenance and repair of merchant ships, in coordination with the Coordinator for Ship Repair and Conversion.
- (2) In conjunction with the concerned agencies and under the coordinating authority of the Secretary of Transportation, plans and programs for emergency utilization of Great Lakes shipping capacity engaged solely in services between U.S. ports and of inland waterway capacity.
- (3) Preparation of plans and development of programs for emergency utilization of ocean, Great Lakes, inland waterway, and offshore deepwater ports to meet military and essential civil needs in emergencies.
- (4) Development of plans and programs for construction of merchant ships to meet military and essential civil needs in emergencies.
- (5) Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10480, as amended, and pertinent Defense Mobilization Orders, and subject to the prior approval of the Attorney General and the Federal Trade Commission, consultation with representatives of industry and other interests in order to obtain voluntary agreements and to develop plans for their execution to help provide for the defense of the United States.
- (6) Participation, as required, in NATO CEP Planning Board for Ocean Shipping (PBOS) functions and related activities; and representation of the Secretary as the senior officer and head of the U.S. delegation to that NATO PBOS and serve as U.S. joint chairperson of the PBOS.
- (7) Claimancy procedures for supporting resources required for effective operation and maintenance of shipping, port and ship construction programs.

8. OTHER DEPARTMENTAL RESPONSIBILITIES.

1. Office of Emergency Transportation. The Director, Office of Emergency Transportation, is responsible for providing staff support to the Secretary in the implementation and execution of Departmental statutory and administrative transportation civil emergency preparedness responsibilities. In addition to Secretarial staff responsibilities, the Director is the Departmental emergency coordinator and principal liaison with the Federal Emergency Management Agency and other Federal, State, local, and private sector emergency preparedness organizations. Further, the Director is responsible for developing overall Departmental civil emergency preparedness policies, plans, procedures, systems and programs as well as ensuring the effective Departmental integration of the Secretary's civil emergency preparedness responsibilities. Additionally, the office is responsible for the coordination of the Departmental elements emergency preparedness policies, plans, procedures, systems, and programs and for assuring that they are properly coordinated and conform to Departmental guidance.

The Director will provide for the centralized management of civil transportation priorities and the determination of the proper apportionment and allocation/pre-allocation for control of the total civil transportation capacity or any portion thereof, to meet overall essential civil and military needs during national security and/or domestic crises. The Director will carry out this responsibility except when the responsibility is otherwise specifically delegated by the Secretary to meet the needs of a particular national security or domestic crisis.

2. International Transportation Civil Emergency Preparedness Planning. The Director, Office of Emergency Transportation, is responsible for:
 - a. Coordination of all international transportation civil emergency preparedness programs and related activities for the Secretary and to act as the focal point for such Departmental coordination with the U.S. Department of State, the Federal Emergency Management Agency, and other international and/or foreign organizations or Governments.
 - b. Participation, as required, in related activities of international transportation civil emergency preparedness (CEP) planning boards and committees and related activities, including but not limited to Canada, Mexico, and NATO transportation CEP planning boards and committees; and provision of leadership to and represent the Secretary as the senior officer and head of the U.S. delegation to the NATO CEP Civil Aviation Planning Committee.
3. Regional Emergency Transportation Coordinator (RETCO) Program. The Director, Office of Emergency Transportation, is the cognizant Departmental staff officer responsible for providing policy direction and overall management and coordination of the RETCO program.

4. National Defense Executive Reserve (NDER). The Director, Office of Emergency Transportation, is responsible for providing policy and overall management direction, including administrative direction, control, and coordination, for the Departmental NDER program. Each element of the Department sponsoring a NDER program is responsible for its own administration, including active recruitment, training, exercising, and funding, subject to Departmental policy and administrative direction.
5. Training and Exercises. The Director, Office of Emergency Transportation, in conformity with administrations' statutory requirements, is: (1) responsible for providing Departmental policy guidance, direction and, as required, for selectively organizing and coordinating Departmental participation in military, civil, domestic, and international civil emergency preparedness training programs, and exercises for all Departmental Secretarial Offices and Administrations; and, (2) the principal contact with the Departments of Defense and State, the Federal Emergency Management Agency, and all other Federal agencies concerned with civil emergency preparedness training and exercises involving the Nation's civil transportation resource.



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